

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD M. DALTON,

Defendant.

No. 07-CR-40019

ORDER

HERNDON, District Judge:

Before the Court is the third motion to continue trial submitted by Defendant Dalton. (Doc. 47.) The Court finds that the trial should be postponed because Defendant and the Government are involved in ongoing discussions concerning a possible plea agreement. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant Dalton in a speedy trial because failure to grant a continuance would unreasonably interfere with the current plea negotiations, which if successful would serve all parties' interest in a just and efficient outcome. Therefore, the Court **GRANTS** Defendant Dalton's motion to continue trial. (Doc. 47.) Furthermore, the Court finds pursuant to **18 U.S.C. § 3161(h)(7)** that since no motion to sever has been filed, the trial should be continued for the other co-defendant, Mark A. Halterman, scheduled for trial that day, October

1, 2007. A single trial is favored to preserve the resources of the Court and to promote efficiencies. Accordingly, the Court **CONTINUES** the jury trial scheduled for October 1, 2007 at 9:00 a.m. until November 26, 2007. The time from the date Defendant Daltons's motion was filed, September 21, 2007, until the date on which the trial is rescheduled, November 26, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 21st day of September, 2007.

/s/ David R Herndon
United States District Judge